

Last revised 8/1/15

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:
Louise Ortmann

Case No.: 14-30522
Judge: RG
Chapter: 13

Debtor(s)

Chapter 13 Plan and Motions

- ☐ Original ☒ Modified/Notice Required ☒ Discharge Sought
☐ Motions Included ☐ Modified/No Notice Required ☐ No Discharge Sought

Date: 6/20/2016

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS WILL BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 250.00 per month to the Chapter 13 Trustee, starting on July 1, 2016 for approximately 41 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future earnings
☒ Other sources of funding (describe source, amount and date when funds are available):
\$9,575 already paid into Plan over the past 19 months. Plan term total is 60 months.

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property

Description:

Proposed date for completion: _____

- ☐ Refinance of real property:

Description:

Proposed date for completion: _____

- ☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Scura, Wigfield, Heyer, & Stevens, LLP	Administrative	Amount to be determined by the court after the filing of a supplemental fee application.
Internal Revenue Service	Federal Income Tax	\$10,449.28
State of NJ, Division of Taxation	State Income Tax	\$1,338.77

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Toyota Motor Credit Co.	2013 Toyota Rav4	\$379.98	0	\$379.98	\$379.98

b. Modification

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan: Stonegate Mortgage - mortgage on residence.

e. Secured Claims to be Paid in Full Through the Plan:

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ _____ to be distributed *pro rata*
- ☐ Not less than _____ percent
- ☒ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis For Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
Toyota Motor Credit	Auto lease	Assumed

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Administrative Claims
- 3) Secured and Priority Claims
- 4) Unsecured Claims

d. Post-Petition Claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: 1/8/2015.

Explain below **why** the plan is being modified:

To list secured creditor Stonegate Mortgage as unaffected as the Debtor has entered into a loan modification. The appropriate motion to approve the loan modification will be filed with the court.

To add the arrears owed to Toyota Motor Credit to the Plan.

Explain below **how** the plan is being modified:

Stonegate Mortgage listed in Part 4, section d and removed from Part 4, section c.

Toyota arrears added to Part 4, section a.

Are Schedules I and J being filed simultaneously with this Modified Plan?

☒ Yes ☐ No

Part 10: Sign Here

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: 6/20/2016

/s/ Christopher J. Balala
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 6/20/2016

/s/ Louise Ortmann
Debtor

Date: _____

Joint Debtor

Certificate of Notice Page 8 of 9
 United States Bankruptcy Court
 District of New Jersey

In re:
 Louise Ortmann
 Debtor

Case No. 14-30522-RG
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 60

Date Rcvd: Jun 29, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 01, 2016.

db +Louise Ortmann, 620 2nd Street, Carlstadt, NJ 07072-1823
 smg U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 515094789 +Aes/slna, Po Box 61047, Harrisburg, PA 17106-1047
 515094790 +Aes/wells Fargo, Po Box 61047, Harrisburg, PA 17106-1047
 515242169 American Express Centurion Bank, c o Becket and Lee LLP, POB 3001, Malvern, PA 19355-0701
 515094791 +Amex, Po Box 297871, Fort Lauderdale, FL 33329-7871
 515094792 +Barclays Bank Delaware, 125 S West St, Wilmington, DE 19801-5014
 515094793 +Bureau Of Accounts Con, Po Box 538, Howell, NJ 07731-0538
 515094794 ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
 (address filed with court: Cap One, Po Box 85520, Richmond, VA 23285)
 515182339 +CERASTES, LLC, C O WEINSTEIN, PINSON, AND RILEY, PS, 2001 WESTERN AVENUE, STE 400,
 SEATTLE, WA 98121-3132
 515310066 Capital One, N.A., c o Becket and Lee LLP, POB 3001, Malvern, PA 19355-0701
 515094795 +Ccs/first National Ban, 500 E 60th St N, Sioux Falls, SD 57104-0478
 515094796 +Chase, Po Box 15298, Wilmington, DE 19850-5298
 515094797 +Citi, Po Box 6241, Sioux Falls, SD 57117-6241
 515094798 +Comenity Bank/express, Po Box 182789, Columbus, OH 43218-2789
 515094799 +Comenity Bank/vctrsscc, Po Box 182789, Columbus, OH 43218-2789
 515115554 +Department Stores National Bank/Bloomington, Bankruptcy Processing, Po Box 8053,
 Mason, OH 45040-8053
 515115553 +Department Stores National Bank/Macys, Bankruptcy Processing, Po Box 8053,
 Mason, OH 45040-8053
 515094800 +Dsnb Bloom, 9111 Duke Blvd, Mason, OH 45040-8999
 515094801 +Dsnb Macys, Po Box 8218, Mason, OH 45040-8218
 515094802 +Emblem, Po Box 105555, Atlanta, GA 30348-5555
 515094803 +Exxmbcliti, Po Box 6497, Sioux Falls, SD 57117-6497
 515098532 +First National Bank of Omaha, 1620 Dodge St., Stop Code 3105, Omaha, NE 68197-0002
 515094804 +Fnb Omaha, Po Box 3412, Omaha, NE 68103-0412
 515160380 +Navient Solutions, Inc. on behalf of NJHESAA, P.O. Box 548, Trenton, NJ 08625-0548
 515094808 +New Jersey Division of Taxation, 50 Barrack Street 9th Floor, P.O. Box 245,
 Trenton, NJ 08602-0245
 515122705 +New Jersey Higher Education Assistance Authority, P.O. Box 548, Trenton, NJ 08625-0548
 515218449 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
 TRENTON NJ 08646-0245
 (address filed with court: State of New Jersey, Division of Taxation, P.O. Box 245,
 Trenton, NJ 08695-0245)
 515094810 +Sln Financial Corp, 11100 Usa Pkwy, Fishers, IN 46037-9203
 515156385 +TD BANK USA, N.A., C O WEINSTEIN, PINSON, AND RILEY, PS, 2001 WESTERN AVENUE, STE 400,
 SEATTLE, WA 98121-3132
 515094820 ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026
 (address filed with court: Toyota Motor Credit Co, 4 Gatehall Dr Ste 350,
 Parsippany, NJ 07054)
 515094819 +Td Bank Usa/targetcred, Po Box 673, Minneapolis, MN 55440-0673
 515129423 Toyota Lease Trust, PO Box 8026, Cedar Rapids, Iowa 52408-8026
 515297362 eCAST Settlement Corporation, assignee, of Citibank, N.A., POB 29262,
 New York, NY 10087-9262

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Jun 29 2016 22:55:14 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235

515094805 E-mail/Text: cio.bncmail@irs.gov Jun 29 2016 22:54:52 Internal Revenue Service,
 PO Box 7346, Centralized Insolvency Unit, Philadelphia, PA 19101-7346
 515094806 +E-mail/Text: bnckohlsnotices@becket-lee.com Jun 29 2016 22:54:43 Kohls/capone,
 N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
 515314876 E-mail/Text: bkr@cardworks.com Jun 29 2016 22:54:29 MERRICK BANK,
 Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
 515094807 +E-mail/Text: bkr@cardworks.com Jun 29 2016 22:54:29 Merrick Bank, Po Box 9201,
 Old Bethpage, NY 11804-9001
 515094809 +E-mail/Text: bankruptcy@onlineis.com Jun 29 2016 22:55:42 Online Collections, Po Box 1489,
 Winterville, NC 28590-1489
 515332244 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 29 2016 22:49:19
 Portfolio Recovery Associates, LLC, c/o Amazon.com Store Card, POB 41067,
 Norfolk VA 23541
 515298079 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 29 2016 23:08:28
 Portfolio Recovery Associates, LLC, c/o Ashley Home Store, POB 41067, Norfolk VA 23541
 515330353 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 29 2016 22:50:05
 Portfolio Recovery Associates, LLC, c/o Capital One, POB 41067, Norfolk VA 23541
 515298131 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 29 2016 22:50:06
 Portfolio Recovery Associates, LLC, c/o Exxonmobil, POB 41067, Norfolk VA 23541
 515331451 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 29 2016 23:08:29
 Portfolio Recovery Associates, LLC, c/o Gap, POB 41067, Norfolk VA 23541
 515332321 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 29 2016 22:49:48
 Portfolio Recovery Associates, LLC, c/o Lowes, POB 41067, Norfolk VA 23541

District/off: 0312-2

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 60

Date Rcvd: Jun 29, 2016

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

515332589 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 29 2016 23:08:29
Portfolio Recovery Associates, LLC, c/o Old Navy, POB 41067, Norfolk VA 23541
515331879 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 29 2016 22:49:20
Portfolio Recovery Associates, LLC, c/o Paypal Extras Mastercard, POB 41067,
Norfolk VA 23541
515331851 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 29 2016 22:49:21
Portfolio Recovery Associates, LLC, c/o Toys "R" Us Credit Card, POB 41067,
Norfolk VA 23541
515331455 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 29 2016 22:49:49
Portfolio Recovery Associates, LLC, c/o Walmart Credit Card, POB 41067, Norfolk VA 23541
515217849 E-mail/Text: bnc-quantum@quantum3group.com Jun 29 2016 22:55:08
Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
515094811 +E-mail/Text: bankandforeclose@stonegatemt看.com Jun 29 2016 22:55:40 Stonegate Mortgage Corp,
157 S Main St, Mansfield, OH 44902-7955
515259882 +E-mail/Text: bankandforeclose@stonegatemt看.com Jun 29 2016 22:55:40 Stonegate Mortgage,
Two Energy Square, 4849 Greenville Ave, Suite 800, Dallas, TX 75206-4130
515094812 +E-mail/PDF: gecsedirecoverycorp.com Jun 29 2016 22:49:40 Synch/amazon, Po Box 965015,
Orlando, FL 32896-5015
515094813 +E-mail/PDF: gecsedirecoverycorp.com Jun 29 2016 22:49:40 Synch/ashley Homestore,
950 Forrer Blvd, Kettering, OH 45420-1469
515094814 +E-mail/PDF: gecsedirecoverycorp.com Jun 29 2016 22:49:40 Synch/gap, Po Box 965005,
Orlando, FL 32896-5005
515094815 +E-mail/PDF: gecsedirecoverycorp.com Jun 29 2016 22:49:10 Synch/lowes, Po Box 965005,
Orlando, FL 32896-5005
515094816 +E-mail/PDF: gecsedirecoverycorp.com Jun 29 2016 22:49:09 Synch/paypal Extras Mc,
Po Box 965005, Orlando, FL 32896-5005
515094817 +E-mail/PDF: gecsedirecoverycorp.com Jun 29 2016 22:49:10 Synch/toysrusdc, Po Box 965005,
Orlando, FL 32896-5005
515094818 +E-mail/PDF: gecsedirecoverycorp.com Jun 29 2016 22:49:41 Synch/walmart, Po Box 965024,
Orlando, FL 32896-5024

TOTAL: 26

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 01, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 28, 2016 at the address(es) listed below:

Christopher J. Balala on behalf of Debtor Louise Ortmann cbalala@scuramealey.com,
ecfbkfilings@scuramealey.com; dsklar@scuramealey.com; drocker@scuramealey.com
David L. Stevens on behalf of Debtor Louise Ortmann dstevens@scuramealey.com,
cbalala@scuramealey.com; ecfbkfilings@scuramealey.com; dsklar@scuramealey.com; drocker@scuramealey.c
om
Joshua I. Goldman on behalf of Creditor Stonegate Mortgage Corporation
jgoldman@kmlawgroup.com, bkgroup@kmlawgroup.com
Karen B. Olson on behalf of Creditor Stonegate Mortgage Corporation kbo@kkelaw.com,
nmm@kkelaw.com
Marie-Ann Greenberg magecf@magtrustee.com

TOTAL: 5